

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

DAWN COOPER, Personal Representative  
of the Estate of Demetrius Morton, Deceased,

Plaintiff,

Case No. 04-72849  
Hon.. Lawrence Zatkoff  
Mag. Judge Mona K. Majoub

vs.

WASHTENAW COUNTY, CITY OF ANN ARBOR,  
WASHTENAW COUNTY DEPUTY SERGEANT  
ANTHONY WOODFORD, WASHTENAW COUNTY  
DEPUTY SHERIFF OFFICER PAMELA RACITI,  
WASHTENAW COUNTY SHERIFF OFFICER  
EUGENE HAHN, ANN ARBOR POLICE OFFICER  
MICHAEL WATCHOWSKI, ANN ARBOR POLICE  
OFFICER STEVE LAWRENCE, Individually,

Defendants.

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**ORDER APPROVING SETTLEMENT AND DISBURSEMENT  
OF PROCEEDS**

At a session of said Court  
held in the City of Port Huron, and  
State of Michigan  
on November 15, 2007

PRESENT: HON.     Lawrence P. Zatkoff  
                         District Court Judge

This matter is before the Court on Plaintiff's Motion to Approve Settlement and Disbursement of Proceeds. The Court, having read the briefs, heard oral argument, and being otherwise fully advised will approve the settlement amount set forth below.

In addition, as there are currently two state court orders outstanding that order Plaintiff's counsel to pay a portion of this settlement to the Jackson County Friend of the Court, this Court ordered Plaintiff to research the issue of whether the state court orders

affect the disbursement of funds from this settlement. In response, Plaintiff provided the Court with a motion and brief, and cited authority, which the Court finds persuasive, stating that the Friend of the Court, as a creditor of the deceased's estate, is not entitled to any portion of the settlement in this case. As such, the Court will disburse the settlement proceeds as detailed below.

NOW THEREFORE:

**IT IS HEREBY ORDERED** that the settlement in the amount of **\$485,000** is approved.

**IT IS FURTHER ORDERED** that the following disbursements shall be made:

- a. Payable to the law firm of FIEGER, FIEGER, KENNEY, JOHNSON & GIROUX, for costs expended: **\$48,513.00;**
- b. Payable to the law firm of FIEGER, FIEGER, KENNEY, JOHNSON & GIROUX for a one-third attorney fee: **\$145,495.50;**
- c. Payable to Eric Braverman, Esq., for services as guardian ad litem: **\$750.00;**
- d. Payable to Howard Linden, Esq., for services related to opening and maintaining the probate estate: **\$5,000.00.**
- e. Payable to Structured Financial Associates, Inc., fees for structured settlement preparation: **\$750.00;**

**IT IS FURTHER ORDERED** that the funds remaining for disbursement to the heirs following the payment of attorney fees and costs in the amount of **\$284,491.50** shall be disbursed as follows:

1. Payable to the children of the deceased, a structured settlement with the present cash value of **\$36,813.00** each the following amounts:
  - a. **\$11,500.47** to Jared Cooper, d/o/b of 6-21-93, payable annually for 4 years which is 4 payments beginning 6-21-2011 (age 18), with the last guaranteed payment on 6-21-2014 (age 21), for a guaranteed payout of \$46,002.00;
  - b. **\$10,930.23** to Armond Chris Anthony, d/o/b of 7-9-92, annually for 4 guaranteed payments beginning on 7-9-2010 (age 18), with the last guaranteed payment on 7-9-2013 (age 21), for a guaranteed payout of \$43,721.00;
  - c. **\$9502.58** to Jenna Bordeaux, d/o/b of 11-9-1989, annually for 4 guaranteed payments beginning on 11-9-2007 (age 18), with the last guaranteed payment on 11-9-2010 (age 21), for a guaranteed payout of \$38,010.00;
  - d. **\$10,124.59** to Kayla Swartz, d/o/b of 2-3-91, annually for 4 guaranteed payments beginning on 2-3-2009 (age 18), with the last guaranteed payment on 2-3-2012 (age 21), for a guaranteed payout of \$40,498.00;
2. Payable to Johnny Morton, the father of the deceased: **\$15,000.00**;
3. Payable to Sandra Morton, the mother of the deceased: **\$9127.71**, for reimbursement of funeral costs;
4. Payable to Sandra Morton, the mother of the deceased: **\$15,000.00**;

5. Payable to Dorothy Morton, the sister of the deceased: **\$8219.84;**
6. Payable to Daniel Morton, the brother of the deceased: **\$8219.84;**
7. Payable to Johnny Morton, Jr., the brother of the deceased: **\$8219.84;**
8. Payable to Angela Morton, the sister of the deceased: **\$8219.84;**
9. Payable to William Morton, the brother of the deceased: **\$8219.84;**
10. Payable to Victoria Morton, the sister of the deceased: **\$8219.84.**

**IT IS FURTHER ORDERED** that no portion of the settlement is being paid for conscious pain and suffering.

**IT IS FURTHER ORDERED** that all funeral and medical expenses have been paid.

**IT IS SO ORDERED.**

s/Lawrence P. Zatkoff  
LAWRENCE P. ZATKOFF  
UNITED STATES DISTRICT JUDGE

Approved as to Form:

/s/ Paul W. Broschay  
Paul W. Broschay (P36267)  
Attorney for Plaintiff

/s/ Robert West  
Robert West (P31009)  
Attorney for Ann Arbor